

Attorney Docket No. 55820-49375

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,112,514
Issued : September 5, 2000
Application No. : 09/159,634
Filed : September 24, 1998
For : Fan Noise Reduction From Turbofan Engines Using
Adaptive Herschel-Quincke Tubes

RESPONSE TO INQUIRY

Mail Stop Petition
Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Senior Attorney Paul Shanowski

Dear Sir:

This is in response to the 23 January 2013 REQUEST FOR MORE INFORMATION.

The Request states, in part, that

despite the fact that Ms. Lucas concedes that she made the erroneous entry of "Paid 8/9/06," her statement of facts appears to contradict the assertion that it was this entry which resulted in the failure to submit the 7 ½ - year maintenance fee which resulted in the expiration of this patent. (Request, page 3.)

The Request asks that this contradiction be addressed and affords one month for response.

A copy of the Request was forwarded by the undersigned counsel to Debra Lucas and in response she has executed the attached Supplemental Declaration wherein she explains her earlier statement and states that "I acknowledge that I committed an error (erroneous entry of "Paid 8/9/06") which led to the expiration of the '514 patent." Her explanation that the earlier statement was intended to mean that while she was employed at VTIP (from November 2002 to June 2007) she was not aware that she had made an error that resulted in a failure to pay a maintenance fee. After having been informed of the missed second maintenance fee and after review of the facts

Adjustment date: 03/14/2013 CKHLOK
12/23/2004 DALLEH 00000006 6112514
01 FC:1559 -445.00 OP

Adjustment date: 03/14/2013 CKHLOK
01/31/2012 DALLEH 00000013 021010 6112514
01 FC:1599 3550.00 CR

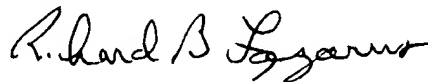
she acknowledges, as per her statement, that her error (erroneous entry of "Paid 8/9/06") led to the expiration of the '514 patent. The Second Supplemental Declaration of Mark Coburn is also submitted with this Response and corroborates Ms. Lucas Supplemental Declaration.

Ms. Lucas' statement in her Supplemental Declaration clarifies the ambiguity described in the Request. The delay in payment of the second maintenance fee for the '514 Patent was unavoidable, and a proper showing under 37 C.F.R. §1.378(b) has been made. Accordingly, relief should be granted, that the payment tendered for the second maintenance fees should be accepted in the '514 Patent, and that such patent should be held in force. Therefore, it is respectfully requested that the unavoidable delay of the payment of the maintenance fee for the '514 Patent be accepted and that this patent be reinstated.

The Commissioner is hereby authorized to charge any maintenance fees, surcharges, or any required additional fees, or credit any overpayment, to Deposit Account No. 02-1010, referencing Docket No. 55820-49375.

Any remaining questions may be directed to the undersigned.

Respectfully submitted,



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Attachments: Second Supplemental Declaration of Mark Coburn

Supplemental Declaration of Debra Lucas